



Atty. Docket No. 002187 USA/C03/PDC/WF/OR
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

David ALUMOT et al.

Application No.: 09/765,995

Confirmation No.: 1810

Group Art Unit: 2623

Filed: January 19, 2001

Examiner: Martin E. Miller

For: OPTICAL INSPECTION APPARATUS FOR SUBSTRATE DEFECT DETECTION (as amended)

TERMINAL DISCLAIMER

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DEC 20 2002

Technology Center 2600

Assistant Commissioner of Patents
P.O. Box 2327
Arlington, VA22202

Sir:

The undersigned, on behalf of the petitioner, APPLIED MATERIALS, INC., represents that the petitioner, APPLIED MATERIALS, INC. is the owner of the entire right, title and interest of U.S. Application No. 09/298,501, filed on April 23, 1999 for SUBSTRATE INSPECTION METHOD AND APPARATUS, now issued as U.S. Patent 6,178,257, by virtue of an Assignment from all of the inventors thereof executed on May 12, 2000, as well as the entire right, title and interest in the above-captioned U.S. Application No. 09/765,995 by virtue of an Assignment from all of the inventors thereof executed on May 12, 2000.

Petitioner hereby certifies that the above-mentioned Assignments have been reviewed and to the best of petitioner's knowledge and belief, title is in petitioner who is seeking to take this action.

TERMINAL DISCLAIMER
U.S. Application No. 09/765,995

A Terminal Disclaimer was filed in U.S. Patent 6,178,257.

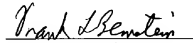
Petitioner hereby disclaims the terminal part of any patent granted on the above-captioned U.S. Application No. 09/765,995 which would extend beyond the expiration of the full statutory term of U.S. Patent 6,178,257, and hereby agrees that any patent so granted on the above-captioned U.S. Application No. 09/765,995 shall be enforceable only for and during such period that the legal title to U.S. Patent 6,178,257 shall be the same as the legal title to said patent issuing from the above-captioned U.S. Application No. 09/765,995, this agreement to run with any patent granted on the above-captioned U.S. Application No. 09/765,995 and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-captioned U.S. Application No. 09/765,995 prior to the expiration date of the full statutory term of U.S. Patent 6,178,257 in the event that U.S. Patent 6,178,257 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a Reexamination Certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, including a terminal disclaimer filed with regard to U.S. Patent 5,982,921, except for the separation of legal title stated above.

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U.S. Application No. 09/765,995

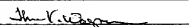
The undersigned whose signature and title appear below is empowered to act on behalf of
petitioner.

Respectfully submitted,


Frank L. Bernstein
Registration No. 31,484

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Date: December 11, 2002

<p align="center">Certificate of Mailing I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:</p> <p align="center">Assistant Commissioner for Patents P.O. Box 2327 Arlington, VA 22202</p> <p>Date: <u>December 11, 2002</u></p> <p align="center"> Thea K. Wagner</p>
